

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

Applied Underwriters, Inc.,)
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Plaintiff,)
)
)
v.) Case No. 3:14-CV-379-PLR-CCS
)
)
American Employer Group, Inc.,)
)
)
Defendants.)

MEMORANDUM OPINION AND ORDER

This matter comes before the Court on the defendant's motion *in limine* seeking to exclude introduction at trial of any evidence that is responsive to but was not produced in response to certain discovery requests. [R. 23]. This motion was filed on September 4, 2015. The discovery deadline in this case is 90 days before trial—originally December 30, 2015 but now the end of March 2016. [R. 14, Scheduling Order, R. 28, Agreed Order Continuing Trial]. Trial is not scheduled until June 28, 2016. In light of the procedural posture of the case, the defendant's motion *in limine* is premature. Trial is nearly ten months away and discovery is long from complete. The defendant's motion [R. 23] is therefore **Denied** without prejudice to refiling closer to trial.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE